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**REBELS ARE GAINING**  
Shah Has Lost Control of Northern Half of Territory.

**RACHIN KHAN NOW A FUGITIVE**

Artillery Captured and Reactionary Leaders Seek Asylum With Russian Cossack Guards.  
St. Petersburg, July 21.—A dispatch from Tabriz, by courier post to Julia, affirms that the shah's cause in northern Persia is lost.  
The artillery and ammunition which were abandoned by Rachin Khan, who was commander-in-chief of the troops during his flight from Tabriz, passed into the hands of the revolutionists, who are now in full possession of the city. The shah's palace has been turned into the revolutionary headquarters.  
The reactionaries, who had taken refuge in the Russian bank and the Russian consul, M. Pohlmannoff, have again retired to the consul's country villa outside the city, which is being guarded by a large detachment of Cossacks. The casualties resulting from the recent bombardment and fighting between the troops and revolutionists were slight.

**TEHERAN FEARS AN UPRISING**

Success of Insurgents at Tabriz Encourages Revolutionists.  
Teheran, July 21.—The successes of the revolutionaries at Tabriz, concerning which news is beginning to reach here, have encouraged the local revolutionary leaders and caused apprehensions of renewed disturbances. Rapid preparations are being made to concentrate the shah's forces, and 1000 horsemen of the nomadic tribes at Bakhtiar have arrived on the outskirts of the city. Quarters are being prepared for them in the vicinity of the shah's palace, which is becoming rapidly transformed into a fortress. Guns have been mounted on the walls commanding the city in all directions.  
A strong party led by Amir Bogatur, which now has the upper hand, has informed the shah that the re-establishment of order awaits his instructions. The reactionaries are active at work among the populace collecting signatures to petitions asking the shah to abrogate the constitution, and a memoir to the same effect is being prepared for presentation to Great Britain and Russia.

**Sultan in Furious Rage**

London, July 21.—A special dispatch from Constantinople to the Daily Telegraph says there is not the slightest doubt that Turkey is suffering the greatest crisis in her internal affairs that it is possible to imagine.  
The sultan, continues the correspondent, is furious with his ministers, whom he holds responsible for the situation in Macedonia, and whom he accuses of misleading him as to the true facts of the situation. They have advised him to pardon the officers now awaiting court-martial on the charge of assisting the "Young Turkey" agitation, but he obstinately refuses to do this, and declares that the ministers are traitors.  
The sultan threatens to remove the officers of the third army corps and crush the Albanians by force.

**Appreciates Act of Generosity.**

Pekin, July 21.—It was announced here yesterday that the Chinese government has decided to appoint Tang Shao Yi, governor of Moukden province, as high commissioner to the United States to thank the American government for remitting a part of the boxer indemnity. The government intends to send 100 students to the United States every year for four years, and then 50 a year until the entire amount of the indemnity remitted by the United States has been expended. This is only part of a plan to bring China into closer relations with America.

**Find Graft at Molokai.**

Honolulu, July 21.—The federal grand jury, which has just completed an investigation of the government work on the leper island of Molokai, which consists in the construction of a big leprosarium or hospital for the patients, has discovered that all the employes engaged in this work are aliens, and that they pay 20 per cent of their wages to persons who procure them their situations. The report of the jury urges that American citizens be employed on all federal and public works.

**Infected Rats at Seattle.**

Seattle, July 21.—Four more suspected rats under investigation at the laboratory conducted by Dr. Chapin of the United States public health and marine hospital service were yesterday given a positive diagnosis and declared plague-infected. These animals were taken from the woodyard at Eighth avenue and Madison street. Out of 34 rats caught in that vicinity and examined at the plague laboratory nine have been positively diagnosed as plague-infected.

**Potter Suffers Relapse.**

Cooperstown, N. Y., July 21.—Bishop Henry C. Potter, who has been ill since June 27, at Fernleigh, Mrs. Potter's home here, suffered a relapse yesterday, and last night his condition was again grave. Dr. J. E. Lanvin said: "The bishop Sunday passed the most comfortable day during his sickness. Yesterday morning he suffered a relapse, and during the day he has been uneasy and in some pain. Last night he was resting comfortably, however."

**AVOID TRUST LAW**

**Railroad Companies Cannot Increase Rates by Concerted Action.**

Washington, July 20.—The interstate commerce commission may take action on the increased freight rates agreed to at the meeting of the Southeastern Freight association and the Southeastern Mississippi Valley association, at Louisville, Ky., Saturday, when the new tariffs are filed with the commission by the roads having membership in these two associations. Action cannot be taken by the commission on its own initiative or on the complaints of shippers or shippers' associations. If the interstate commerce commission should find that the increase in freight rates was made through concerted action, and that there was evidence that the Sherman anti-trust law was violated, attention will in all probability be called to the matter.

In speaking of the powers of the interstate commerce commission where an advance in freight rates has been made by any railroad, Chairman Knapp, of the commission, said:  
"The railroads must file their tariffs with the commission with 30 days' notice of a contemplated change. Changes in rates between competitive points must be made simultaneously by all the roads operating between those points. This in a measure protects the shipper. When a railroad files notice of an increase in its freight rates the commission can on its own motion make an investigation as to the reasonableness of the advance."  
"In a case where the commission acts on its own motion, however, it cannot issue an order. If a shipper makes a complaint to the commission against a railroad charging an unjust increase of rates, each side is given a hearing, and the commission can then issue an order based on its decision in the case."  
Should it develop that the increase was made through concerted action, the commission would very likely refer the matter to the attorney general. The department of justice can also call upon the commission to investigate as to the reasonableness in rates.

**PACIFIC COAST LOSER.**

**Transcontinental Shippers Claim Rate Ruling Fatal to Oriental Trade.**

San Francisco, July 20.—The Southern Pacific and Santa Fe railroads and the Pacific Mail Steamship company are preparing to have a hearing before the interstate commerce commission on the question of transcontinental rates for goods shipped across the Pacific ocean. The new rule of the commission compels the railroads to charge the same price for these goods as for any other, whereas it had been customary for the railroads to make this rate cheaper to the steamship companies.  
The information that the interstate commerce commission has decided to postpone until October the day on which the rate would become effective, because of a protest from Japan, has given the railroads and steamship company time to act.  
The plea will be made to the interstate commerce commission that steamers traveling through the Suez canal will get the trade if the transcontinental roads are not allowed to juggle rates as they please. The steamers change their rates often and quickly, they say, and if the American railroads are compelled to adhere to the published rate they will lose this oriental business.

**Disaffection in Turkish Army.**

Constantinople, Turkey, July 18.—After months of quiet, "things are doing" again in Turkey, and are taking a serious turn. The troops in Macedonia threaten to get entirely out of hand. They are mutinous because pay day never arrives. Often men whose time has expired have been kept with the colors for years, owing to lack of money to pay them off. From time to time mutinies have developed in various towns, and occasionally a little money has been sent to troops to tide over some highly dangerous crisis. Now a new element of danger appears in "young Turkey." This party is proving extremely active among the troops, and numerous incidents show the trend of events.

**Comes Home an Invalid.**

New York, July 20.—Alton Gard, district governor of Lano, Philippines, who was shot and seriously injured while attempting to arrest the datto of Lano for the murder of a Tennessean, a settler in the province, and who arrived in this city Saturday, was taken to Roosevelt hospital.  
Gard was treated in Manila, but it was thought there might be serious results from the iron bullets, and he was advised to return to this country. At the hospital last night it was said that he was resting comfortably after his 10,000-mile journey.

**Tongs Doom Prosecutor.**

Sacramento, Cal., July 20.—Because he succeeded in causing the conviction of Mar Gin Sueie on a charge of murder, District Attorney Eugene S. Wachorst has had a price set on his head by certain Chinese societies of this city, and has been warned to be on his guard. Mar Gin Sueie, a well-known tongman, murdered Lee Toni, a Bing tongman. A jury Saturday night decided that Mar Sueie was guilty of murder in the first degree.

**Says Revolution Is Crushed.**

New York, July 20.—The Associated Press has received the following dispatch from General Davila, president of Honduras:  
"Tegucigalpa, Honduras, July 17.—The government has put an end to the revolutionary movement in 10 days. The decisive battle was fought at Nacaome. The enemy was defeated and escaped into Salvador."

**Ohio Referendum Law Upheld.**

Cleveland, July 20.—The new initiative and referendum state law was held to be constitutional today by Judge Chapman in common pleas court. The test case will be carried to the state supreme court for final decision.

**INCREASE IS ILLEGAL**

**Railroad Rates Cannot Be Raised, Says Commissioner.**

**POINT WAS DECIDED IN GEORGIA**

**All Concerned Incur Penalty Under Sherman Law As It Would Be Violated.**

Chicago, July 18.—A special to the Tribune from Washington says:  
In the opinion of John Clements, a member of the interstate commerce commission, the proposed general increase in freight rates discussed in New York yesterday by the presidents of many eastern railways in the Trunk Line association would constitute a violation of the Sherman anti-trust law and would render all the railroads concerned liable to severe penalties. Mr. Clements explained that the interstate commerce commission as a commission is not at all interested in the Sherman anti-trust law, the execution of which is entrusted to the department of justice, but he expressed his opinion as a lawyer and cited a recent instance where the supreme court had so decided.  
"As a lawyer," he said, "I am willing to hazard the opinion that such an increase in rates as was contemplated by the eastern railways at their meeting in New York would be in direct violation of the anti-trust law. When practically all of the eastern roads, and, for that matter, all of the roads in the country, by a mutual agreement raise rates, it is to my mind a procedure which brings them under that clause of the anti-trust law which prevents 'pooling' and illegal combinations."  
"Whether or not there is any necessity now for an increase of rates, I am not prepared to say. If the increase should come, the commissioners would have ample time to decide that point. I am convinced, however, that the railways will give the anti-trust laws careful consideration before they consider a general increase in rates."  
"A similar case came up in Georgia some time ago during some lumber hearings. Federal Judge Speer decided that the railroads had formed an illegal combination in increasing the rates, and the supreme court affirmed the decision."

**FIRE ON STRIKEBREAKERS.**

**Alabama Miners Kill Deputy Sheriff and Wound Dozen Men.**

Birmingham, Ala., July 18.—Robert Gardner, a deputy sheriff, was fatally wounded and at least a dozen miners more or less seriously hurt as the result of an attack on a train bearing strike-breakers to take the places of striking union miners at Jefferson near here, yesterday. The train was in charge of 13 deputies, and was en route to Adamsville. It is said the union miners attempted to induce the strike-breakers to leave the train, and threatened to kill them if they went to work.  
Governor Comer has ordered a company of cavalry from Montgomery to the scene, and troops already on the ground are under arms, and will patrol the district tonight, preventing further disorders. Deputy Gardner, mortally wounded, was brought to Birmingham last night. Deputy George Smith, accompanying him, estimates that no less than 1000 shots were fired on both sides in the attack at Jefferson.  
According to Smith the engagement was opened when a train bearing 50 strike-breakers attempted to leave Jefferson for Adamsville. Prior to this a number of union miners had made overtures to the strike-breakers to join their ranks, threatening at the same time to kill them in case they attempted to work the mines of the operators.

**Doesn't Mind the Fleet.**

London, July 18.—Criticism by the British press of Australia and New Zealand for the expenditure of enormous sums in preparation for the entertainment of the American fleet is not finding favor with the general public here. Sentiment of the people generally is with the colonies in their stand on the question, and editorial utterances on the subject are much milder today than they have been in the past. On the continent there has been no criticism of the world voyage of the United States men-of-war.

**Marshall Is Indicted.**

New York, July 18.—A. G. Marshall, manager of the Standard Protective society, who, with Henry G. Cooke, president of the Oregon Ranching & Timber company was indicted on a charge of conspiracy to defraud the United States by violating the law in relation to sale of timber land in Oregon, surrendered himself to United States Marshal Henkel yesterday. He was later arraigned in the United States circuit court.

**Will Use Great Northern Track.**

Billings, Mont., July 18.—It is announced that with the completion of the line of the Billings Northern railroad from Billings to Great Falls, Mont., about September 1, the Burlington trains, now using the Northern Pacific line to the coast, will proceed over the Billings Northern to Great Falls, from which place the tracks of the Great Northern will be used.

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